## SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

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March 22, 2002

## **VIA ELECTRONIC FILING**

Marjorie Reed Greene Associate Bureau Chief Cable Services Bureau Federal Communications Commission 445 12<sup>th</sup> Street, SW Washington, DC 20554

Re: City Signal Communications, Inc.

Written Ex Parte - CS Docket No. 00-255

Dear Ms. Greene:

Pursuant to Section 1.1206(b) of the Commission's Rules, City Signal Communications, Inc. ("City Signal") is submitting this written *ex parte* to provide an update on the status of negotiations with the City of Pepper Pike, Ohio ("CS Docket No. 00-255").

Following the FCC staff's renewed interest in City Signal's section 253(d) petitions, City Signal is pleased to report that negotiations have been completed with the City of Pepper Pike ("City") and an agreement ("Agreement") is being finalized.

Under the terms of the Agreement, the City is required to install conduit along a specified route in the City and to complete construction of the conduit system within two months after the date of the Agreement. Upon completion of construction by the City, City Signal will be permitted to install its telecommunications facilities in the City's conduit system. City Signal, therefore, requests that the Commission hold City Signal's section 253(d) petition against Pepper Pike in abeyance during this construction period. At the end of the two-month period, City Signal will notify the FCC whether the City has completed construction of the conduit system and made it available for City Signal's use.

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Please feel free to contact us if you have any questions or need additional information regarding City Signal's petition.

Respectfully submitted,

/s/ Kathy Cooper

Jeffrey M. Karp Kathy L. Cooper

Counsel for City Signal Communications, Inc.

cc: Chris Gibbon, Esq., Walter & Haverfield Lisa Lutz, Esq., City Signal Mr. Alan Brecher, City Signal